UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/469,561	12/22/1999	MARTIN PAGEL	045923-P016U	5104

			EXAMINER
29053	7590	07/25/2006	WU, RUTAO

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ART UNIT	PAPER NUMBER
3639	

DATE MAILED: 07/25/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

PTO-90C (Rev. 10/03)

	Application No.	Applicant(s)
Office Action Summary	09/469,561	PAGEL, MARTIN
	Examiner	Art Unit	
	Rutao Wu	3639	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE <u>3</u> MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
  Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on <u>04 May 2006</u>.

2a)☐ This action is **FINAL**.   2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-4,6-19,21-27,30-34 and 37-46* is/are pending in the application.

     4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-4,6-19,21-27,30-34 and 37-46* is/are rejected.

7)☒ Claim(s) *11* is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

     Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

     Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

     a)☐ All   b)☐ Some * c)☐ None of:

        1.☐ Certified copies of the priority documents have been received.

        2.☐ Certified copies of the priority documents have been received in Application No. _____.

        3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

     * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1)☐ Notice of References Cited (PTO-892)

2)☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3)☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
     Paper No(s)/Mail Date _____.

4)☐ Interview Summary (PTO-413)
     Paper No(s)/Mail Date. _____.

5)☐ Notice of Informal Patent Application (PTO-152)

6)☐ Other: _____.

DETAILED ACTION

Status of Claims

1.   In response filed May 04, 2006, the applicant cancelled claims 5, 28 and 36 and

amended claims 1,17, 23, 33, and 41. Claims 1-4, 6-19, 21-27, 30-34 and 37-46 are

pending in the application.

Claim Objections

2.   Claim 11 is objected to because of the following informalities: the term "and/or"

is confusing, it is not clear if the applicant wants 'and' or 'or'. Appropriate correction is

required.

Response to Arguments

3.   Applicant's arguments, see page 10, filed May 04, 2006, with respect to claims

12-14 have been fully considered and are persuasive. The 35 U.S.C. § 112 rejection of

claims 12-14 has been withdrawn.

4.   Applicant's arguments filed May 04, 2006 have been fully considered but they are

not persuasive.

As per claims 1, 23, and 33, the applicant amended the claim to include the

limitation "using at least some of said abstracted data bits fro controlling at least one of

said additional functions...and wherein said at least one additional function further

comprises accepting data from a source other than said data stream." Bresnan et al

(5,873,073) teach the above limitation. Bresnan et al disclose that the mailing machine 40 can be further comprises of a meter linking device connected to a microprocessor; a weighing scale connected to the microprocessor; a postage meter connected to the meter linking device by an echoplex interface cable. (col 18: lines 62-67) Bresnan also disclose that unfinished mailpiece is franked with appropriate postage by a postage meter and then placed into the mail stream. (col 4: lines 15-17) From Bresnan et al's invention it can be seen that the mailing machine 40 receives a customer job order and parses the job order to print documents and envelopes. In essence, the parsed job order is a data stream that controls the mailing machine to print the mailing documents and envelopes and then insert the documents into the envelopes, frank the mailpieces and places them in the mail stream. (Fig 2) However, since Bresnan et al disclose that mailpiece is franked with appropriate postage by the postage meter and the customer does not enter the postage when requesting the job, then it is obvious that other data must be sent to the mailing machine to be able to properly frank the mailpieces. Data such as weight of the mailpieces and the amount of postage deducted from the postage registers need to be transmitted to the mailing machine. Therefore, it is clear to see that the mailing machine accepts data from sources other than the job request data stream, for example, from a weighing scale, a postage meter or a meter linking device as disclosed by Bresnan et al.

As per claims 17 and 41, the applicants amended the claims to include the limitation "wherein said certain preestablished data patterns include the beginning and the ending of postage indicia data." This limitation is obvious over Cordery et al's

(5,628,249) disclosure. Cordery et al disclose that parser 112 outputs mail finishing unit

control data, which is default attribute data from job header 12 or specific mail piece

attribute data from mail piece header 18, and the End Of Job (EOJ) to mail piece

attribute generator 116. (col 5: lines 54-57) Cordery et al also disclose that mail piece

attribute generator 116 also responds to the EOJ code to identify the last mail piece to

assure that the mailing job is properly terminated and the last mail piece completed.

Therefore, it would have been obvious at the time of the invention for the mailing

machine to also be able to codes associated with the beginning and the ending of

postage indicia data, so that the printing of postage can be started and terminated

properly once the printing has completed.

Claim Rejections - 35 USC § 103

5.   The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all

obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set
> forth in section 102 of this title, if the differences between the subject matter sought to be patented and
> the prior art are such that the subject matter as a whole would have been obvious at the time the
> invention was made to a person having ordinary skill in the art to which said subject matter pertains.
> Patentability shall not be negatived by the manner in which the invention was made.

6.   Claims 1-4, 6-19, 21-22, 33-34, 37-46 are rejected under 35 U.S.C. 103(a) as

being unpatentable over U.S. Pat No. 5,628,249 to Cordery et al in view of U.S. Pat No.

5,873,073 to Bresnan et al.

As per claims 1 and 33: Cordery et al discloses abstracting at least a portion of

said data bits from said data stream with a postal printer driver; (col 4: lines 25-29)

Cordery et al does not expressly disclose using at least some of said abstracted

data for controlling at least one of said additional functions, wherein said at least one of

said additional functions comprises printing of a postage indicia, and wherein said at

least one additional function further comprises accepting data from a source other than

said data stream; and

Creating, from said abstracted data a separate data stream for controlling the

printing of said postage indicia.

Bresnan et al disclose applying postage to the envelopes (col 7: lines 5-8)

Bresnan et al disclose in the invention the configuration and user interface of the

system disclosed by Cordery et al, and also discloses the system can be further

comprised of a number of elements which include: a meter linking device connected to

a microprocessor; a weighing scale connected to the microprocessor; a postage meter

connected to the meter linking device by an echoplex interface card. (col 18: lines 63-

67)

Bresnan also disclose that unfinished mailpiece is franked with appropriate

postage by a postage meter and then placed into the mail stream. (col 4: lines 15-17)

From Bresnan et al's invention it can be seen that the mailing machine 40 receives a

customer job order and parses the job order to print documents and envelopes. In

essence, the parsed job order is a data stream that controls the mailing machine to print

the mailing documents and envelopes and then insert the documents into the

envelopes, frank the mailpieces and places them in the mail stream. (Fig 2) However,

since Bresnan et al disclose that mailpiece is franked with appropriate postage by the

postage meter and the customer does not enter the postage when requesting the job, then it is inherent that other data must be sent to the mailing machine to be able to properly frank the mailpieces. Data such as weight of the mailpieces and the amount of postage deducted from the postage registers need to be transmitted to the mailing machine. Therefore, it is clear to see that the mailing machine accepts data from sources other than the job request data stream, for example, from a weighing scale, a postage meter or a meter linking device as disclosed by Bresnan et al.

Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made to modify Cordery et al's invention to include postage printing feature. One would be motivated because Cordery et al discloses sealed envelopes output for franking with the proper postage, (col 5: lines 22-23) also, since Cordery et al's invention is capable of detecting and printing common elements of the address on the envelopes from the job data, (col 4: lines 33-34) it would be obvious postage indicia can be calculated and printed since all of the necessary elements are present in the system.

As per claims 2 and 34: Cordery et al disclose wherein said at least one additional function further comprises printing of address information on material separate from said printing information in accordance with said data stream. (col 4: lines 25-34)

As per claim 3: Cordery et al disclose wherein said at least one additional function further comprises printing of postage indicia on material separate from said

printing information in accordance with said data stream. (col 4: lines 25-34; col 5: lines 22-23)

As per claim 4: Cordery et al does not expressly disclose at least one additional function further comprises a dialog box for allowing options from a user.

Bresnan et al does disclose dialog box for allowing options from a user (Fig 4)

Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made to modify Cordery et al's invention to include dialog box option disclosed by Bresnan et al. One would be motivated to perform such a modification to provide the user the ability to choose options.

As per claim 6: Cordery et al disclose at least one additional function further comprises directing the abstracted portion to multiple locations. (col 4: lines 25-34)

As per claim 7: Cordery et al disclose at least one additional function further comprises storage in a memory. (every computer device must have memory)

As per claim 8: Cordery et al disclose at least one additional function further comprises directing the abstracted portion to a viewable medium. (col 41-51)

As per claim 9: Cordery et al disclose at least one additional function further comprises the changing of form of the data (col 3: lines 53-57)

As per claim 10: Cordery et al disclose at least one additional function further comprises the delivery of said data to a location remote from said printer driver. (col 4: lines 25-34)

As per claim 11: Cordery et al disclose at least one additional function further comprises the change in location and/or format of the data based upon an interaction

between certain data in said data stream and data stored in said printer driver. (col 4: lines 25-34)

As per claim 12: Cordery et al disclose printer driver is operable on said data stream coming from a program operating in a computing device to control at least a portion of the printing of said printer. (col 3: lines 41-52)

As per claims 13 and 38: Cordery et al disclose printer driver is located remote from said computing device. (Fig 3)

As per claims 14 and 39: Cordery et al does not expressly disclose that the printer driver is located within said printer.

Examiner submits that it would have been obvious to one having ordinary skill in the art at the time the invention was made to have the printer driver be within the printer. Cordery et al provides specific motivation from Fig 3 where the printer controller could be integrated with the print machine by the dotted lines.

As per claims 15 and 40: Cordery et al disclose wherein said abstracting includes: examining said data stream for preestablished data patterns (col 3: lines 55-57)

As per claim 16: Cordery et al disclose wherein said data patterns are selected from the list including:

Return address, destination address, mailing date, number of pages, type of inserts, mailing service type, postage indicia, bar codes, tracking codes, control codes, graphics, application types. (col 3: lines 53-57)

As per claims 17 and 41: Cordery et al discloses abstracting at least a portion of said data bits from said data stream with a postal printer driver; (col 4: lines 25-29)

Cordery et al does not expressly disclose using at least some of said abstracted data for controlling at least one of said additional functions, wherein said at least one of said additional functions comprises printing of a postage indicia; and

Creating, from said abstracted data a separate data stream for controlling the printing of said postage indicia.

Bresnan et al disclose applying postage to the envelopes (col 7: lines 5-8)

Bresnan et al disclose in the invention the configuration and user interface of the system disclosed by Cordery et al, and also discloses the system can be further comprised of a number of elements which include: a meter linking device connected to a microprocessor; a weighing scale connected to the microprocessor; a postage meter connected to the meter linking device by an echoplex interface card. (col 18: lines 63-67)

Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made to modify Cordery et al's invention to include postage printing feature. One would be motivated because Cordery et al discloses sealed envelopes output for franking with the proper postage, (col 5: lines 22-23) also, since Cordery et al's invention is capable of detecting and printing common elements of the address on the envelopes from the job data, (col 4: lines 33-34) it would be obvious postage indicia can be calculated and printed since all of the necessary elements are present in the system.

Cordery et al disclose wherein said preestablished data patterns include the beginning and ending of address information contained within said data stream. (col 3: lines 11-16) Cordery et al does not expressly disclose wherein said preestablished data patterns include the beginning and ending of postage indicia data.

However, Cordery et al disclose that parser 112 outputs mail finishing unit control data, which is default attribute data from job header 12 or specific mail piece attribute data from mail piece header 18, and the End Of Job (EOJ) to mail piece attribute generator 116. (col 5: lines 54-57) Cordery et al also disclose that mail piece attribute generator 116 also responds to the EOJ code to identify the last mail piece to assure that the mailing job is properly terminated and the last mail piece completed. Therefore, it would have been obvious at the time of the invention for the mailing machine to also be able to codes associated with the beginning and the ending of postage indicia data, so that the printing of postage can be started and terminated properly once the printing has completed.

As per claims 18 and 42: Cordery et al disclose printing of said postage indicia on a document other than the document to which said data stream is being directed. (col 5: lines 22-23)

As per claims 19 and 43: Cordery et al disclose wherein said preestablished data patterns include the beginning and ending of address information contained within said data stream. (col 3: lines 11-16)

As per claims 21 and 45: Cordery et al disclose wherein said preestablished data patterns include the beginning and ending of each document to be printed. (col 3: lines 11-16)

As per claim 22: Cordery et al disclose wherein said preestablished data patterns include the number of pages of a document. (col 2: lines 60-67)

As per claim 37: Cordery et al disclose wherein said computer product is operable on said data stream coming from a general purpose computing device. (col 3: lines 41-43)

As per claim 44: Cordery et al disclose wherein said computer product further contains a program for creating from said address information data for controlling the printing of a postage indicia. (col 3: lines 41-52)

As per claim 46: Cordery et al disclose wherein said data patterns are selected from the list including:

Return address, destination address, mailing date, number of pages, type of inserts, mailing service type. Postage indicia, bar codes, tracking codes, control codes. (col 2: lines 60-67)

7.   Claims 23-27, 30-32 are rejected under 35 U.S.C. 103(a) as being unpatentable over Bresnan et al.

Referring to claim 23:

A method of printing information on a printed document, said method comprising the steps of:

Bresnan et al disclose

Sending a data stream to a printing device; (col 2: lines 33-36)

Reviewing said data stream to create therefrom a separate data stream for

controlling additional functions with respect to printing of documents, (col 2: lines 25-29;

col 4: lines 14-16; col 18: lines 64-67)

Bresnan does not expressly disclose wherein said separate data stream includes

data accepted from a source other than said data stream to said printing device;

However Bresnan et al disclose that the mailing machine 40 can be further

comprises of a meter linking device connected to a microprocessor; a weighing scale

connected to the microprocessor; a postage meter connected to the meter linking

device by an echoplex interface cable. (col 18: lines 62-67) Bresnan also disclose that

unfinished mailpiece is franked with appropriate postage by a postage meter and then

placed into the mail stream. (col 4: lines 15-17) From Bresnan et al's invention it can be

seen that the mailing machine 40 receives a customer job order and parses the job

order to print documents and envelopes. In essence, the parsed job order is a data

stream that controls the mailing machine to print the mailing documents and envelopes

and then insert the documents into the envelopes, frank the mailpieces and places them

in the mail stream. (Fig 2) However, since Bresnan et al disclose that mailpiece is

franked with appropriate postage by the postage meter and the customer does not enter

the postage when requesting the job, then it is obvious that other data must be sent to

the mailing machine to be able to properly frank the mailpieces. Data such as weight of

the mailpieces and the amount of postage deducted from the postage registers need to

be transmitted to the mailing machine. Therefore, it is clear to see that the mailing

machine accepts data from sources other than the job request data stream, for

example, from a weighing scale, a postage meter or a meter linking device as disclosed

by Bresnan et al.

Maintaining in a secure memory an amount available for controlling the

generation of a postage indicia; (col 18: lines 65-67)

Calculating under joint control of said secure memory and said separate data

stream an amount of postage to be applied to a particular document to be printed; (col

7: lines 5-8)

Deducting said calculated postage amount from said secure memory if said

calculated postage amount is available in said secure memory; and (col 2: lines 41-43)

Printing information from said data stream in accordance with said additional

functions. (col 2: lines 23-25)

Referring to claim 24:

The method of claim 23 wherein said additional functions are selected from the

list including printing address information, printing postage indicia, folding a printed

document, stuffing a printed document into an envelope, creating a mailing address for

the delivery of a printed document, creating a postage indicia, creating an auxiliary

document in association with a printed document, controlling a second printer operating

in conjunction with said printer, verifying the address, normalizing the address, adding

delivery bar codes. (col 2: lines 25-29)

Referring to claim 25:

The method of claim 23 wherein said reviewing step includes the step of:

Copying from said data stream portions of said data stream. (col 3: lines 60-68)

Referring to claim 26:

The method of claim 25 wherein said portions include address information with

respect to a particular document to be printed. (col 2: lines 22-24)

Referring to claim 27:

The method of claim 26 further including the step of:

Creating from said copied address information a postage indicia. (col 7: lines 5-8)

Referring to claim 30:

The method of claim 25 wherein said portions include postage indicia information

with respect to a particular document to be printed. (col 7: lines 5-8)

Referring to claim 31:

The method of claim 23 wherein said reviewing step includes the step of enabling

a dialog box. (Fig 4)

Referring to claim 32:

The method of claim 31 wherein said dialog box interacts with a user to provide

at least one of the following:

Return address and logo;

Data of mailing;

Address verification/prompt for insufficient information;

Review scanned data;

Hints for scanning data stream;

Additional cover page information or label/envelope customization;

Delivery (mail service, fax, e-mail, etc); and

Options (postage amount, paper weight, weight of inserts, additional mail

services) (Fig 5A)

Conclusion

8.   Examiner's Note: Examiner has cited particular columns and line numbers in the

references as applied to the claims below for the convenience of the applicant.

Although the specified citations are representative of the teachings in the art and are

applied to the specific limitations within the individual claim, other passages and figures

may apply as well. It is respectfully requested that the applicant, in preparing the

responses, fully consider the references in entirety as potentially teaching all or part of

the claimed invention, as well as the context of the passage as taught by the prior art or

disclosed by the examiner.

Any inquiry concerning this communication or earlier communications from the

examiner should be directed to Rutao Wu whose telephone number is (571)272-3136.

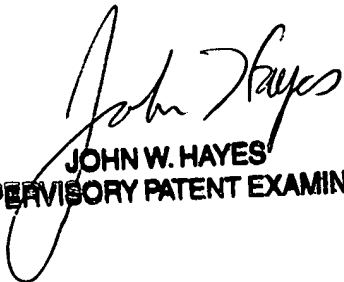The examiner can normally be reached on Mon-Fri 8-5.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's

supervisor, John Hayes can be reached on (571)272-6708. The fax phone number for

the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the

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published applications may be obtained from either Private PAIR or Public PAIR.

Status information for unpublished applications is available through Private PAIR only.

For more information about the PAIR system, see http://pair-direct.uspto.gov. Should

you have questions on access to the Private PAIR system, contact the Electronic

Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a

USPTO Customer Service Representative or access to the automated information

system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

rw

JOHN W. HAYES
SUPERVISORY PATENT EXAMINER